

CONFIDENTIAL

Allegations against Class I Officers :

Enquiries into — by the Anti-Corruption and
Prohibition Intelligence Bureau.

GOVERNMENT OF MAHARASHTRA

GENERAL ADMINISTRATION DEPARTMENT

Circular No. CDR-2080/C-1614/377/XI

Mantralaya, Bombay-400 032, dated the 12th March 1981

CIRCULAR

Whenever any allegations are made against any individual Class I Officer, and the Director, Anti-Corruption and Prohibition Intelligence Bureau or the Head of the Department concerned, to whom these allegations are made, considers that an enquiry into the allegations should be made by the Bureau, the existing procedure as clarified in Government Circular, General Administration Department, No. CDR-1171/C-15587-DI, dated 23rd February 1972 requires that orders of Government in the Home Department should be obtained for the conduct of the enquiry by the Bureau into the allegations against that Officer. This procedure causes some delay and the purpose of finalising the enquiries as early as possible is not served as expected. Government has therefore, reviewed the procedure in this respect and is pleased to direct as follows :—

(1) Whenever on the basis of the discreet preliminary enquiries made, an open enquiry into the allegations made against a Class I Officer is considered necessary, the permission of Government for the conduct of such an enquiry should be obtained if the officer is a Member of an All India Service or a Head of the Department as defined in the Bombay Civil Services Rules, 1959. While seeking the permission, the Director, Anti-Corruption and Prohibition Intelligence Bureau should move the Secretary to Government, Home Department by name for orders. The Secretary, Home Department will obtain the orders of the Chief Minister through the Chief Secretary and will communicate them to the Director.

(2) The permission of Government will not be necessary for such enquiry into the allegations against a Class I Officer other than a Member of an All India Service or a Head of Department. But the enquiry against such Officer should be conducted only after the Director, Anti-Corruption and Prohibition Intelligence Bureau or the Head of the Department concerned has personally scrutinised the case and satisfied himself that there is enough material to justify an open enquiry and further, clearance for the same is obtained from the Secretary, Home Department.

2. According to the instructions contained in Government Circular, General Administration Department, No. CDR-1072/13903-DI, dated 7th December 1972, whenever complaints making allegations of corruption, bribery or criminal misconduct against Government servants are received by the Anti-Corruption Bureau, the Anti-Corruption Bureau Officers are required to make discreet enquiries into such complaints and care is required to be taken to see that a Government servant against whom the enquiry is being made does not come to know that such an enquiry is being made. In some cases however, it is helpful to obtain the version of the Government servant against whom allegations are made, at the stage of making discreet enquiry. Government is therefore, pleased to direct that where, in any particular case, the Director, Anti-Corruption and Prohibition Intelligence Bureau considers that it would be desirable to obtain

the version of the Government servant against whom the allegations are made, there is no objection to obtain the version of such Government servant even during a discreet enquiry.

By order and in the name of the Governor of Maharashtra,

V. S. FADNAVIS,

Deputy Secretary to Government.

To

The Secretary to the Governor,

The Secretary to the Chief Minister,

The Private Secretaries to the Ministers,

The Personal Assistants to the Ministers of State,

*The Prothonotary and Senior Master, High Court, Bombay,

*The Registrar, High Court, Appellate Side, Bombay,

*The Registrar, Office of the Lokayukta and Upa-Lokayukta, Bombay,

The Director, Anti-Corruption and Prohibition Intelligence Bureau, Bombay,

All other Heads of Departments and Heads of Offices,

The Home Department,

All other Departments of the Mantralaya.

*By letter.
